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**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

KRYSTAL KURTZ

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant(s)

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**Civil Action No.**

**PLAINTIFF'S COMPLAINT AND  
JURY DEMAND**

Plaintiff, Krystal Kurtz, claims damages against the United States of America, and in support thereof, avers as follows:

**JURISDICTION AND VENUE**

1. The matter is a personal injury tort claim involving the individual plaintiff and Steven Mills who was operating a United States Postal Vehicle at the time of the subject automobile accident.

2. This Court has jurisdiction, pursuant to 28 U.S.C. s 2401(b), C.F.R. 912.9(a) and Federal Tort Claims Act.

3. Plaintiff's claim was presented to the United States of America on September 7, 2022 and was formally denied on February 16, 2023. Therefore, all procedural prerequisites to suit have been met.

4. Venue lies in the United States District Court for the District of Camden pursuant to 18 U.S.C. s 1402(b) as all of the events relevant to this action occurred in this district.

**THE PARTIES**

5. The plaintiff, Krystal Kurtz, resides at 981 Crowpond Road, in the Township of Pittsgrove, County of Salem, and State of New Jersey.

6. The Defendant, United States of America, owns, operates and controls the United States Postal Service, and all aspects of mail delivery, including its employees, servants and agents.

**COUNT I**

7. On March 4, 2021, the Plaintiff, Krystal Kurtz, was the lawful operator of a certain Jeep Cherokee, New Jersey license plate C97KEF, which was proceeding in a general westbound direction on Route 70 in Southampton Township, Burlington County, New Jersey.

8. At the aforesaid time and place, the Defendant, United States of America, by and through its employee/servant/agent, Steven Mills, operated its vehicle in a general easterly direction on Route 70 in such a careless and negligent manner by losing control and crossing into the oncoming lane of travel, striking the Kurtz vehicle and causing a violent collision.

9. Said collision was caused and/or substantially contributed to by the carelessness and negligence of the Defendant, United States of America, by and through its agent/servant/employee, Steven Mills, who failed to make proper observations of traffic, was travelling at a high rate of speed excessive for conditions then and there existing, failed to keep his vehicle in the proper lane of travel, failed to apply his brakes, failed to properly steer the vehicle, was in disregard of the rights of others using the public roadway and was otherwise careless and negligent.

10. As a direct and proximate result of the carelessness and negligence of the Defendant, United States of America, as aforesaid, the Plaintiff, Krystal Kurtz, sustained severe personal injuries both temporary and permanent in nature; did suffer, is suffering and will in the future suffer great

pain and physical discomfort; has been compelled and in the future may be compelled to expend large sums of money for medical treatment; has been unable and may in the future be unable to pursue her normal activities resulting in loss of income; and, has been otherwise damaged.

**WHEREFORE**, the Plaintiff, Krystal Kurtz, demands judgment against the Defendant, United States of America, for such sums as would reasonably compensate her in accordance with the laws of the State of New Jersey, together with interest and costs of suit.

**COUNT TWO**

11. Plaintiff hereby repeats and incorporates herein each and every paragraph contained in the Complaint but for the sake of brevity are not set forth at length.

12. At the aforesaid time and place, Defendant, United States of America, was the owner of the vehicle which Steven Mills was operating during the course and scope of his employment with the United States Postal Service and as such, his acts of negligence are imputed to the Defendant, United States of America.


**WHEREFORE**, the Plaintiff, Krystal Kurtz, demands judgment against the Defendant, United States of America, for such sums as would reasonably compensate her in accordance with the laws of the State of New Jersey, together with interest and costs of suit.

**DEMAND FOR JURY TRIAL**

**TAKE NOTICE** that Plaintiff, Krystal Kurtz, hereby demands a Trial by Jury on all issues in accordance with the Rules of this Court.

**BORBI, CLANCY & PATRIZI, LLC**  
**Attorneys for Plaintiff**

Dated: 4/20/23

  
S. Caroline Granato, Esq.